

UNITED STATES DISTRICT COURT

for the

District of

Division

RECEIVED

JAN 07 2021

US DISTRICT COURT  
MID DIST TENN

03-21 0011

Danny Collier

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

Case No. 75GSI-2020-CR-454838-01

(to be filled in by the Clerk's Office)

) Joshua Prasser

) David Hardwin

) Ed Gorah

) Judge Bennett

) J.D. Driver

) Chanta Graves

) Robert Schratz

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS

(Prisoner Complaint)

NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

Defendant No. 5

Name Judge Bennett

Job or Title Judge

Shield Number

Employer Court house

Address N. maple, Murfreesboro TN, 37130

Defendant No. 6

Name Chanta Graves

Job or Title Clerk

Shield Number

Employer Court house

Address N. Maple Murfreesboro TN, 37130

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I had wrote you all once before - about a Lindsey Allen case,  
on a 9 years Auto theft, but got charges dropped to 2 years

Also a Johnathan McCrae case & got case dropped 7 years to 3 years.

And I got persecuted in Murfreesboro on both cases, but wrote  
you all and got case dropped / lowered same situation Owner of never showed  
because had consent to use car on both cases.

I have this case in Murfreesboro Court, but I dont use the public  
defenders office in Murfreesboro They are crooked that why I waived my ~~rights~~  
rights & needn a Motion to Discovery on Joshua Prasser & a motion to  
Dismissal.

**I. The Parties to This Complaint****A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name Danny Collier  
 All other names by which  
 you have been known: \_\_\_\_\_  
 ID Number JID-0015204  
 Current Institution 940 New Salem Hwy  
 Address New Salem Hwy  
Murfreesboro TN ~~00000~~ 37130  
 City State Zip Code

**B. The Defendant(s)**

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. Make sure that the defendant(s) listed below are identical to those contained in the above caption. For an individual defendant, include the person's job or title (*if known*) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

**Defendant No. 1**

Name Joshua Prasser  
 Job or Title (*if known*) Police officer  
 Shield Number \_\_\_\_\_  
 Employer M.P.D  
 Address Broad St  
Murfreesboro TN ~~00000~~ 37130  
 City State Zip Code  
☒ Individual capacity ☒ Official capacity

**Defendant No. 2**

Name David Hardwin  
 Job or Title (*if known*) Police officer  
 Shield Number \_\_\_\_\_  
 Employer M.P.D  
 Address Broad St  
Murfreesboro TN 37167  
 City State Zip Code  
☒ Individual capacity ☒ Official capacity

## Defendant No. 3

Name

Ed Gorah

Job or Title (if known)

Police officer

Shield Number

Employer

M.P.D.

Address

Broad St

Murfreesboro

City

TN

State

37130

Zip Code



Individual capacity



Official capacity

## Defendant No. 4

Name

J.D. Driver

Job or Title (if known)

Public Defender / Attorney

Shield Number

Employer

Public Defenders office

Address

City

State

Zip Code



Individual capacity



Official capacity

## II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (check all that apply):

Federal officials (a *Bivens* claim)

State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

False imprisonment

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?



- D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

### III. Prisoner Status

Indicate whether you are a prisoner or other confined person as follows (check all that apply):

- ☐ Pretrial detainee
- ☐ Civilly committed detainee
- ☐ Immigration detainee
- ☐ Convicted and sentenced state prisoner
- ☐ Convicted and sentenced federal prisoner
- ☒ Other (explain) Inmate / Attorney waitn to go to trial

### IV. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. If the events giving rise to your claim arose outside an institution, describe where and when they arose.
- On currently Sept 25, 2020, officer Ed Garah keep telln me I stole car, but I keep telln him, I had consent to use car, In Murfreesboro TN, ~~37130~~ 37130, On Greenland Dr.
- B. If the events giving rise to your claim arose in an institution, describe where and when they arose.
- On Nov 19, 2020 Jvd Driver told me that I couldnt ~~settle~~ settle case but case couldve been resolved, that same day, in Murfreesboro TN, 37130 Jvdical Center

C. What date and approximate time did the events giving rise to your claim(s) occur?

Sept 25, 2020, 1100

D. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)

- Ed Gorah lied on me, keep telling me car where stolen but I had consent to use car, also officer that searched car, I had in car I saw him smoking it. He never charged me.
- Warrants on me filed by Joshua Prasser where reading theft of property when should've been reading Auto burglary, even though I had consent to use car.

## V. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

## VI. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

- The court should drop case, for prasser false imprisonment
- Requester Check for lost things, that never received back in white camary my medication, + M.P.D sued for somethn I didnt do.
- Speedy Trial motioned
- Motion to Discovery on Joshua Prasser
- Please make copy to Murfreesboro Court.

## VII. Exhaustion of Administrative Remedies Administrative Procedures

The Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997e(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted."

Administrative remedies are also known as grievance procedures. Your case may be dismissed if you have not exhausted your administrative remedies.

- A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

☒ Yes

☐ No

If yes, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s).

940, New Salem Hwy Murfreesboro TN, 37130, Fake imprisonment on Vashua Prasser

- B. Does the jail, prison, or other correctional facility where your claim(s) arose have a grievance procedure?

☐ Yes

☐ No

☒ Do not know

- C. Does the grievance procedure at the jail, prison, or other correctional facility where your claim(s) arose cover some or all of your claims?

☐ Yes

☐ No

☒ Do not know

If yes, which claim(s)?

- D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose concerning the facts relating to this complaint?

☐ Yes

☒ No

If no, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

☐ Yes

☒ No

- E. If you did file a grievance:

1. Where did you file the grievance?

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2. What did you claim in your grievance?

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3. What was the result, if any?

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4. What steps, if any, did you take to appeal that decision? Is the grievance process completed? If not, explain why not. *(Describe all efforts to appeal to the highest level of the grievance process.)*

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F. If you did not file a grievance:

1. If there are any reasons why you did not file a grievance, state them here:

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2. If you did not file a grievance but you did inform officials of your claim, state who you informed, when and how, and their response, if any:

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G. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies.

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*(Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.)*

### VIII. Previous Lawsuits

The “three strikes rule” bars a prisoner from bringing a civil action or an appeal in federal court without paying the filing fee if that prisoner has “on three or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury.” 28 U.S.C. § 1915(g).

To the best of your knowledge, have you had a case dismissed based on this “three strikes rule”?

☐ Yes

☒ No

If yes, state which court dismissed your case, when this occurred, and attach a copy of the order if possible.

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A. Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action?

☐ Yes

☒ No

B. If your answer to A is yes, describe each lawsuit by answering questions 1 through 7 below. *(If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)*

1. Parties to the previous lawsuit

Plaintiff(s) \_\_\_\_\_

Defendant(s) \_\_\_\_\_

2. Court *(if federal court, name the district; if state court, name the county and State)*

\_\_\_\_\_

3. Docket or index number

\_\_\_\_\_

4. Name of Judge assigned to your case

\_\_\_\_\_

5. Approximate date of filing lawsuit

\_\_\_\_\_

6. Is the case still pending?

☐ Yes

☐ No

If no, give the approximate date of disposition. \_\_\_\_\_

7. What was the result of the case? *(For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)*

\_\_\_\_\_

C. Have you filed other lawsuits in state or federal court otherwise relating to the conditions of your imprisonment?

☐ Yes

☒ No

D. If your answer to C is yes, describe each lawsuit by answering questions 1 through 7 below. *(If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)*

1. Parties to the previous lawsuit

Plaintiff(s) \_\_\_\_\_

Defendant(s) \_\_\_\_\_

2. Court *(if federal court, name the district; if state court, name the county and State)*

\_\_\_\_\_

3. Docket or index number

\_\_\_\_\_

4. Name of Judge assigned to your case

\_\_\_\_\_

5. Approximate date of filing lawsuit

\_\_\_\_\_

6. Is the case still pending?

☐ Yes

☐ No

If no, give the approximate date of disposition \_\_\_\_\_

7. What was the result of the case? *(For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)*

\_\_\_\_\_

**IX. Certification and Closing**

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

**A. For Parties Without an Attorney**

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 12 - 30 - 2020

Signature of Plaintiff

Danny Collier

Printed Name of Plaintiff

Danny Collier

Prison Identification #

JID-0015204

Prison Address

940 New Salem Hwy

Murfreesboro ~~00000~~

City

TN

State

37130

Zip Code

**B. For Attorneys**

Date of signing: \_\_\_\_\_

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

City

State

Zip Code

Telephone Number

E-mail Address



To whom it may concern, I inmate Danny Wayne Collier am incarcerated at 940 New Salem Hwy Mboro TN 37167. Charges: Driving While License revoked T.C.A:55-50-504 B/M,

[Charges: Theft of Property -> \$1,000 to < \$2500  
T.C.A: 39-14-103 E/F, theft of property]

I don't plead guilty, but Driving while License revoked I plead guilty. [IF so really needn officers who arrested me in court, know one name Joshua Prasser #931, officer Hardwin don't know badge # + other officer that searched vehicle, but needn officers in court, also owners of vehicle, had consent to operate vehicle + permission, to leave lot with vehicle by dealer ship owner / worker. Also don't know officers name who searched vehicle / white camary but needn officers about theft of property in court or charges dropped, oh yeah also owner of car present in court also.] I know I have priors on drivn on revoked, but if so could you all set court date A.S.A.P, and I promise if possible I will take probation

and report as instructed. Another thing that wasntbothern  
ME, case # 75GSI-2020-CR-4548-02 made sense, (but  
that was bothern me is that 75GSI-2020-CR-454838-01  
is reading theft of property, when should be reading  
Auto theft, needn evidence on that car was stolen +  
copy of report that car was stolen, <sup>in court present</sup> cause warrant/case #  
75GSI-2020-CR-454838-01 isnt reading right info  
should be reading Auto theft / burglary.) Needn charges  
dropped for false <sup>Numbers of case # Different</sup> imprisonment ~~XXXX~~ + Joshua  
Prasser sued for using illegal info in the court of the  
Law + Chanta Graves sued also or im filln  
Law suit, Also Had blood <sup>(Hydrocodine)</sup> pressure pills + stomach <sup>(omeprazole)</sup> pills, claritons  
+ Tylenol never received back to me when officer searched  
vehicle, Also had weed officer never charge me needn  
M.P.D. sued or Im filln Law suit my self  
For officers smoken Marijuana on the seen on  
Greendland Dr in Mboro TN ~~37130~~ 37130 out of car  
+ me uncharged 4 marijuana, officers never confronted  
me about marijuana, in white camary. Could you all  
Make a copy of this letter to Mboro court directly to Bennet.



Also needn victim / owner of car white camary ~~was~~ sued if he  
dosent let yall know that he let me used car with his own consent,  
He simply told me that I could take a look around lot and see  
what I like, before that I asked if they have any free cars  
or any that they want to ~~give~~ away, he laughed I left +  
took car, keys where in ignition. so I left and took car  
white camary for Test drive. By 1:30 AM the same night  
police pulled me over and try to say I stole car, I  
Danny Wayne Collier kept telln them the owner KNEW I had  
car but didnt want to hear that, so they arrested me ~~was~~  
I fell though I was bein harassed, I will plead to D.O.R  
but theft of property NO, warrant wasnt reading ~~right~~ charge  
shouldve been reading Auto theft. Needn Joshua Prassar sued / charged  
for false impsent + also officer along with em.

Please be sure to make copy directed to Mboro Court  
criminal clerks office / Bennet + make sure Bennet's Secretary  
gets this letter Also, please could Have court date A.S.A.P.

Already went to Arraignment; Bonded over to grand jury  
waitn for finally decession.  
please let ~~me~~ Bennet know + contact him that needn  
court date A.S.A.P possible to resolve this matter A.S.A.P / Also  
a copy to Eischeid secretary to criminal ~~clerk~~ clerks  
office to notify above matter, + Motion to Discovery  
on Joshua Prassar on case # 75651-2020-CR-45438-01 /  
Motion to Dismissal on above case + a right to a speedy Trial

- Every thing else in letter dosent have a case#, but ~~we~~ needn Motion to Discovery on Pills + Marijuana.



(Case # 75GSI-2020-CR-454838-01)

Theft of property - > \$1,000 to < \$2,500

- Motion to Dismissal

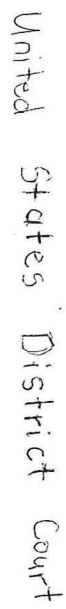
- No officers in court or owner of white Camary no case.

Case# 75GSI-2020-CR-454838-02

Driving While License Revoked

- Motion to a Speedy Trial

03-210011



RECEIVED

JAN 07 2021

US DISTRICT COURT  
MID DIST TENN

801 Broadway  
Nashville TN, 37203

[illegible]

*[Handwritten musical notation]*

THE RUTHERFORD COUNTY  
SHERIFF'S OFFICE/RCADC HAS  
INSPECTED THIS ITEM, AND  
NEITHER ENDORSES ITS  
CONTENTS NOR TAKES  
RESPONSIBILITY FOR THEM.



THIS ENVELOPE IS RECYCLABLE AND MADE WITH 30% POST CONSUMER CONTENT 

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